

House Engrossed Senate Bill

~~probation; work time credits; reporting~~
(now: affordable housing; development standards; report)

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1161

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-461.18; AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.4, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-469; AMENDING TITLE 36, CHAPTER 12, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-1426; RELATING TO HOUSING DEVELOPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 6, Arizona Revised Statutes,
3 is amended by adding section 9-461.18, to read:

4 9-461.18. Transit-oriented development; standards;
5 applicability

6 A. NOTWITHSTANDING ANY OTHER LAW, ORDINANCE OR CHARTER PROVISION,
7 ON OR BEFORE JANUARY 1, 2024, A MUNICIPALITY WITH A POPULATION GREATER
8 THAN FIVE HUNDRED TWENTY-FIVE THOUSAND PERSONS SHALL ALLOW BY RIGHT, IN
9 ANY EXISTING COMMERCIAL, MIXED-USE OR MULTIFAMILY RESIDENTIALLY ZONED
10 DISTRICT WITHIN ONE-HALF MILE OF A LIGHT RAIL OR STREETCAR STOP, THE
11 CONSTRUCTION OF LOW-INCOME MULTIFAMILY RESIDENTIAL RENTAL PROPERTY AS
12 DEFINED IN SECTION 42-13601 WITH THE FOLLOWING DEVELOPMENT STANDARDS:

13 1. THE MAXIMUM HEIGHT LIMIT MAY NOT BE LESS THAN EIGHTY FEET.

14 2. THE DENSITY LIMIT MUST BE AT LEAST THE GREATEST ALLOWED DENSITY
15 FOR PREVIOUSLY APPROVED MIXED USE OR RESIDENTIAL USE IN THE MUNICIPALITY.

16 B. THE MUNICIPALITY MAY NOT REQUIRE A GENERAL PLAN AMENDMENT, USE
17 PERMIT OR REVIEW BY A BOARD OR COMMISSION FOR CONSTRUCTION OF HOUSING
18 PURSUANT TO THIS SECTION.

19 C. THIS SECTION DOES NOT APPLY TO ANY LAND IN THE IMMEDIATE
20 VICINITY OF A MUNICIPAL AIRPORT, TO ANY TERRITORY IN THE VICINITY OF A
21 MILITARY AIRPORT OR ANCILLARY MILITARY FACILITY AS DEFINED IN SECTION 28-
22 8461 OR TO ANY AREA WHERE AN EXISTING MOBILE HOME PARK AS DEFINED IN
23 SECTION 33-1409 MAY BE DISPLACED.

24 Sec. 2. Title 9, chapter 4, article 6.4, Arizona Revised Statutes,
25 is amended by adding section 9-469, to read:

26 9-469. Municipal housing needs assessment; annual report;
27 applicability

28 A. BEGINNING JANUARY 1, 2024 AND EVERY FIVE YEARS THEREAFTER, A
29 MUNICIPALITY SHALL PUBLISH A HOUSING NEEDS ASSESSMENT THAT INCLUDES AT
30 LEAST THE FOLLOWING:

31 1. THE TOTAL POPULATION GROWTH PROJECTED FOR THE SUBSEQUENT
32 FIVE-YEAR PERIOD.

33 2. THE TOTAL JOB GROWTH PROJECTED FOR THE SUBSEQUENT FIVE-YEAR
34 PERIOD.

35 3. THE TOTAL NEED FOR ADDITIONAL RESIDENTIAL HOUSING UNITS FOR RENT
36 AND FOR SALE IN THE MUNICIPALITY TO MEET:

37 (a) ANY DEFICIENCIES IN HOUSING THE EXISTING POPULATION.

38 (b) ANY DEFICIENCIES IN HOUSING THE EXISTING WORKFORCE.

39 (c) THE POPULATION GROWTH PROJECTIONS.

40 (d) THE JOBS GROWTH PROJECTIONS.

41 (e) THE HOUSING NEEDS ACROSS ALL VARIOUS INCOME LEVELS.

42 B. BEGINNING JANUARY 1, 2025 AND EVERY YEAR THEREAFTER, EACH
43 MUNICIPALITY SHALL SUBMIT AN ANNUAL REPORT ACCOUNTING FOR THE TOTAL NUMBER
44 OF PROPOSED RESIDENTIAL HOUSING UNITS SUBMITTED TO THE MUNICIPALITY, THE
45 TOTAL NUMBER OF NET NEW RESIDENTIAL HOUSING UNITS SUBMITTED TO THE

1 MUNICIPALITY AND THE TOTAL NUMBER OF NEW RESIDENTIAL HOUSING UNITS THAT
2 ARE ENTITLED, HAVE BEEN PLATTED, HAVE BEEN ISSUED A BUILDING PERMIT AND
3 HAVE RECEIVED A CERTIFICATE OF OCCUPANCY BY THE MUNICIPALITY. THE REPORT
4 SHALL BE SUBMITTED TO THE ARIZONA DEPARTMENT OF HOUSING. THE ANNUAL
5 REPORT SHALL ALSO INCLUDE THE FOLLOWING:

6 1. THE NUMBER OF HOUSING DEVELOPMENT APPLICATIONS RECEIVED IN THE
7 PRIOR YEAR.

8 2. THE NUMBER OF LOTS AND MULTIFAMILY UNITS INCLUDED IN ALL
9 DEVELOPMENT APPLICATIONS IN THE PRIOR YEAR.

10 3. THE NUMBER OF LOTS AND MULTIFAMILY UNITS APPROVED AND
11 DISAPPROVED OR OTHERWISE NOT APPROVED IN THE PRIOR YEAR.

12 4. THE TOTAL AMOUNT OF VACANT AREA ZONED FOR SINGLE-FAMILY,
13 COMMERCIAL AND MULTIFAMILY RESIDENTIAL AS A PERCENTAGE OF THE
14 MUNICIPALITY'S TOTAL AREA AT THE TIME OF THE HOUSING NEEDS ASSESSMENT.

15 5. THE STATUS AND PROGRESS IN MEETING THE MUNICIPALITY'S HOUSING
16 NEEDS.

17 6. A PLAN THAT SPECIFIES HOW THE MUNICIPALITY INTENDS TO SATISFY
18 THE IDENTIFIED NEED FOR ADDITIONAL HOUSING UNITS WITHIN THE MUNICIPALITY.

19 C. THIS SECTION DOES NOT REQUIRE A MUNICIPALITY TO MEET OR
20 OTHERWISE FULFILL THE PROJECTIONS IN THE HOUSING NEEDS ASSESSMENT REQUIRED
21 BY SUBSECTION A OF THIS SECTION.

22 D. THIS SECTION DOES NOT APPLY TO A MUNICIPALITY THAT IS LOCATED ON
23 TRIBAL LAND OR A MUNICIPALITY WITH A POPULATION OF LESS THAN THIRTY
24 THOUSAND PERSONS.

25 Sec. 3. Title 36, chapter 12, article 1, Arizona Revised Statutes,
26 is amended by adding section 36-1426, to read:

27 36-1426. Housing assistance; state residents; preference

28 EVERY POLITICAL SUBDIVISION OF THIS STATE SHALL GIVE PREFERENCE TO
29 RESIDENTS OF THIS STATE FOR ANY AVAILABLE LOW-INCOME HOUSING ASSISTANCE
30 PAYMENTS OR TENANT-BASED ASSISTANCE PURSUANT TO THE UNITED STATES HOUSING
31 ACT OF 1937 (42 UNITED STATES CODE SECTION 1437f).